

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Scott Alan Jelinsky et al.

Application No.: 10/511,064

Confirmation No.: 8561

Filed: April 20, 2005

Art Unit: 1639

For: ESTROGEN RECEPTOR ALPHA  
REGULATED GENE EXPRESSION  
RELATED ASSAYS AND THERAPEUTICS

Examiner: J. S. Lundgren

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Corrected Application Papers mailed November 8, 2007, Applicant respectfully submits a complete set of replacement Drawing(s) Figs. 1-8 on 10 sheets along with Part 2 Copy of Notice. A complete set of drawings is submitted for the convenience of the Examiner. In particular, replacement copies of Figs. 2B, 2C, 5A-B, and 8A-C do not contain cut-off labeling. A copy of Figure 3 is also submitted herewith. The description of Fig. 3 was contained in the originally filed application at least in paragraphs 7, 134, and 140. Thus, no new matter is added by the present submission.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: December 3 , 2007

Respectfully submitted,

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,064	04/20/2005	Scott Alan Jelinksy	00630/0204187-US0	8561
32801	7590	11/08/2007		
Wyeth c/o Darby & Darby, P.C. P.O. BOX 770 Church Street Station NEW YORK, NY 10008-0770			EXAMINER	
			LUNDGREN, JEFFREY S	
			ART UNIT	PAPER NUMBER
			1639	
			MAIL DATE	DELIVERY MODE
			11/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

### IDENTIFICATION OF DRAWING DEFICIENCIES

- There is a hole or the image thereof within the illustration. FIG(s) \_\_\_\_\_
- The character of the lines, numbers and letters is poor. FIG(s) \_\_\_\_\_
- The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s) \_\_\_\_\_
- An ink stamp or an image obscures part of the illustration. FIG(s) \_\_\_\_\_
- The drawing is marred by black smudges, obliterations, or fax/copier marks. FIG(s) \_\_\_\_\_
- Figure numbers are duplicated or missing. FIG(s) \_\_\_\_\_
- Numbers, letters, or reference characters in the drawing have been crossed out by hand or are illegibly handwritten. FIG(s) \_\_\_\_\_
- The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration. FIG(s) \_\_\_\_\_
- The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s) \_\_\_\_\_
- Data, a reference number, or part of the drawing is truncated or missing. FIG(s) \_\_\_\_\_
- The drawing is continued onto a second page (or more) without proper labeling under 37 CFR 1.84(u)(1). FIG(s) \_\_\_\_\_
- The drawing and/or the FIG. label contain(s) foreign language. FIG(s) \_\_\_\_\_
- Color drawings are present in this application but the following 37 CFR 1.84(a) requirements have not been met\*:
  - Petition filed
  - Petition fee
  - 3 sets of color drawings
  - Color drawing paragraph

\*If color drawings are not elected, then applicant **must respond** so stating. Also, references to color drawings in the specification, if any, must be amended.381.

COMMENTS: **Fig. 3 appears to be missing. Figs. 2B, 2C, 5D & 8A contains cut off data. Please provide replacement drawings.**



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Serial No. : 10/511,064  
Applicant: Jelinksy  
Filing Date : 04/20/05  
Date Mailed : 11/09/07

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

### *Notice of Allowance Mailed*

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 2 months from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment.

*A copy of this notice MUST be returned with the reply. Please address response to  
"Mail Stop Issue Fee, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450".*

L. Fletcher \_\_\_\_\_

Your name

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